

AGENDA: May 25, 2004

5.1

CATEGORY: Public Hearing

DEPT.: Community Development

TITLE: Downtown Precise Plan Update: Phase II Amendments

RECOMMENDATION

That the City Council:

1. Adopt a Mitigated Negative Declaration (statement of no significant environmental impacts) for the proposed amendments to the Downtown Precise Plan.
2. Adopt A RESOLUTION AMENDING THE DOWNTOWN PRECISE PLAN AND RESCINDING THE EAGLE SQUARE PRECISE PLAN AND THE EL CAMINO-CASTRO GATEWAY PRECISE PLAN, to be read in title only, further reading waived.
3. Introduce the following ordinances:
 - A. Introduce AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MOUNTAIN VIEW TO REZONE THE DOWNTOWN PRECISE PLAN AREA J EXPANSION SITE FROM R3-2 DISTRICT TO DOWNTOWN PRECISE PLAN (P-19) DISTRICT, to be read in title only, further reading waived, and set a second reading for June 8, 2004.
 - B. Introduce AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MOUNTAIN VIEW TO REZONE THE EAGLE PARK SITE FROM THE DOWNTOWN PRECISE PLAN (P-19) DISTRICT TO THE PF – PUBLIC FACILITIES DISTRICT, to be read in title only, further reading waived, and set a second reading for June 8, 2004.
 - C. Introduce AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MOUNTAIN VIEW TO REZONE TWO PARCELS ON THE SOUTH SIDE OF EL CAMINO REAL, EAST OF CASTRO STREET AND WEST OF LANE AVENUE FROM EL CAMINO-CASTRO GATEWAY PRECISE PLAN (P-22) TO COMMERCIAL/RESIDENTIAL-ARTERIAL (CRA), to be read in title only, further reading waived, and set a second reading for June 8, 2004.
 - D. Introduce AN ORDINANCE AMENDING CHAPTER 36, ARTICLE IV, OF THE MOUNTAIN VIEW CITY CODE RELATING TO GENERAL AND SPECIAL PROVISIONS, EXCEPTIONS AND INTERPRETATIONS, to be

read in title only, further reading waived, and set a second reading for June 8, 2004.

FISCAL IMPACT

The recommended amendments to the Downtown Precise Plan are not anticipated to have a significant fiscal impact. Compared to the existing Downtown Precise Plan, the amendments may result in a potential reduction of 109,865 square feet of office space. Overall, the Consensus Plan is projected to add approximately 139,000 square feet of commercial space and a potential increase of up to 208 residential units. While the precise plan amendments are not expected to have a significant fiscal impact, the projected increase of residential and commercial development could add sales and property tax revenues.

BACKGROUND AND ANALYSIS

The City Council initiated review of the Downtown Precise Plan to determine whether community goals for downtown Mountain View had changed since the Plan's adoption in 1988. The update of the Precise Plan was split into two parts. In Phase I, completed in 2000, the City reassessed and updated Areas A through G. The Phase II update includes Area H (Castro Street Historic Retail District), Area I (Civic Center/Eagle Square/Gateway Center) and Area J (East of Castro Street Blocks) as well as the Parking, Sliding Density Scale, Historical Preservation and Administration sections.

The purpose of the overall update has been to refine and redefine what has been a successful and solid framework for growth in downtown Mountain View. The Downtown Committee and the Environmental Planning Commission (EPC) working as a joint committee ("Joint Committee") began the process with a workshop in December 2002. Over the past 16 months, the Downtown Committee and the Environmental Planning Commission have held six joint workshop meetings to analyze issues and develop recommendations for a variety of topics.

The Downtown Committee and Environmental Planning Commission then held separate public hearings. Each group voted unanimously to forward a recommendation of approval of the draft Precise Plan for Council consideration. The Downtown Committee recommended approval with no changes to the draft text amendments, which has been approved by the Joint Committee. The EPC recommended a few changes to the draft text. These differences were discussed in the City Council study session memo for the March 20 study session.

Summary of Recommendations

In their review of the Precise Plan, the Environmental Planning Commission and the Downtown Committee found that the basic goals and foundation of the Downtown Precise Plan still work well for downtown Mountain View. The proposed Downtown Precise Plan amendments are intended to update the Precise Plan to be more consistent with today's community objectives. These amendments are based in part on new information concerning the practical, physical and economic implications of existing development and parking standards. The scope of the Precise Plan amendments was limited to the study areas shown in Figure 1 – Land Use and Height Recommendations.

At the April 20 study session, the Council took straw votes on several of the issues, including: the height limit in Area H, the ground-floor parking exemption for both retail and personal services, allowing residential uses on the upper floors of a potentially redeveloped public parking lot and requiring new ground-floor restaurants and administrative offices to provide parking by paying a 50 percent parking in-lieu fee. These changes are listed in the table below and have been incorporated into the draft Precise Plan. As noted in the attached memo summarizing the study session (Attachment 1), these were all preliminary decisions and the Council could choose to change these preliminary decisions. Potential changes to these preliminary decisions are listed in the "Alternatives" section of this report.

The Council also had questions and comments on two other issues: a new parking assessment district for high parking demand uses and increased density along the Castro Street frontage of Area J between Mercy Street and El Camino Real. Changes related to these issues have not been included in the draft, but they are listed under the "Alternatives."

As noted above, the Council addressed the height issue by taking a straw vote in favor of a maximum height of 45' with upper-story setbacks in the 100 and 200 blocks of Castro Street and 55' height limit in the 300 block of Area H with no setbacks. An alternative that the Council may wish to consider is to also require upper-story setbacks in the 300 block so it is consistent with the 100 and 200 blocks listed under the "Alternatives" (see Attachment 1 – Review of April 20 Study Session Memo on Downtown Precise Plan Amendments).

The table below is a summary of the most significant recommendations for amending the Precise Plan organized under each of the three study areas. As noted above, the Downtown Committee and Environmental Planning Commission made different recommendations on a few issues, which are shown below. The bold text highlights the

issues where a Council majority straw vote at the April 20, 2004 study session preliminary resolved these differences.

| SUMMARY OF KEY PRECISE PLAN AMENDMENTS | |
|--|--|
| Planning Area | Recommendations |
| Area H | <p><u>Height Limit</u></p> <ul style="list-style-type: none">• Establish a new height limit for Area H (Historic Retail District) <i>City Council Study Session Straw Vote (Incorporated into Draft Plan)</i>• Establish a 30' to 35' high facade on Castro Street; third and fourth floors set back 10' to 12' from the facade with a maximum height of 45' in the 100 and 200 blocks of Castro Street• Establish a maximum height of 55' in the 300 block of Castro Street <p><i>Downtown Committee:</i></p> <ul style="list-style-type: none">• Establish a 30' to 35' high facade on Castro Street; third and fourth floors set back 10' to 12' from the facade with a maximum height of 45' <p><i>Environmental Planning Commission:</i></p> <ul style="list-style-type: none">• Establish a 30' high facade on Castro Street; third and fourth floors set back 10' to 12' from the facade with a maximum height of 40' |
| | <p><u>Ground-Floor Parking Exemption</u></p> <p><i>City Council Study Session Straw Vote (Incorporated into Draft Plan)</i></p> <ul style="list-style-type: none">• Allow a ground-floor parking exemption for new retail and personal service uses <p><i>Downtown Committee:</i></p> <ul style="list-style-type: none">• Allow a ground-floor parking exemption for new retail and personal service uses <p><i>Environmental Planning Commission</i></p> <ul style="list-style-type: none">• Allow a ground-floor parking exemption only for new retail |

| | |
|--------|---|
| | <p><u>Other</u></p> <p><i>Downtown Committee/Environmental Planning Commission</i></p> <ul style="list-style-type: none"> • Make the parking credit for existing building floor area (when a building redevelops) uniform throughout Area H • Encourage residential on upper floors by allowing residential within proposed height limit <p><i>City Council Study Session Straw Vote (Incorporated into Draft Plan)</i></p> <ul style="list-style-type: none"> • <i>Include guidelines for the potential development of one public parking lot <u>with residential</u> on upper floors as a provisional use</i> <p><i>Downtown Committee/Environmental Planning Commission</i></p> <ul style="list-style-type: none"> • Include guidelines for the potential development of one public parking lot with no residential on upper floors |
| Area I | <ul style="list-style-type: none"> • Create guidelines for potential development on the Wells Fargo site • Remove Eagle Park from the Precise Plan area and rezone it to PF – Public Facilities |
| Area J | <p><i>City Council Study Session Request</i></p> <ul style="list-style-type: none"> • Evaluate the feasibility of increasing the maximum density from 30 to 50 dwelling units per acre for residential development fronting Castro Street. (Pending Council direction shown in Attachment 3) • 30 dwelling units per acre for residential development fronting Hope Street. • Expand Area J boundaries to Hope Street (near El Camino Real) • Allow residential on Hope Street and commercial on Castro Street • Allow four stories and a 55' height on Castro Street and three stories and 35' in height on Hope Street with a third story tucked under the roofline • Include personal services as a permitted use • Allow hotel as provisional use south of Fairmont Avenue • Allow six stories and 70' for hotel use south of Fairmont Avenue • Allow higher density for affordable and senior housing |

| | |
|---|---|
| <p>Parking District (Portions of Areas A, B, C, F, G and all of Areas E and H)</p> | <p><i>City Council Study Session Straw Vote (Incorporated into Draft Plan)</i></p> <ul style="list-style-type: none"> • Require restaurants and administrative offices to provide parking by paying a 50 percent parking in-lieu fee for ground-floor changes in use from retail: <ul style="list-style-type: none"> – The 50 percent in-lieu fee requirement applies to new restaurants and administrative offices that displace existing retail space – Applies to existing restaurant space that has been vacated for at least one year – Delay implementation for 18 months |
| | <p><i>City Council Study Session Request</i></p> <ul style="list-style-type: none"> • Have the Downtown Committee review establishment of a new parking assessment district under which high parking demand uses would pay an annual assessment equal to 5 percent or 10 percent of the in-lieu fee for the creation of new parking. (Requires Council action to initiate process) • Allow ground-floor parking exemption for new retail and personal service uses • Make restaurants on the ground floor a provisional use throughout the Parking District • Make personal services a permitted use throughout the Parking District • In the portion of the Parking District which is outside Area H, eliminate the 1 space to 500 square foot parking credit for existing floor area in five years • Allow 100 percent of residential guest parking to be provided with an in-lieu fee |
| <p>Administrative</p> | <ul style="list-style-type: none"> • Update Section V – Administration • Rescind overlapping Precise Plans: Eagle Square and El Camino-Castro Gateway |
| <p>Map</p> | <ul style="list-style-type: none"> • Revise the Precise Plan map to reflect new Hope Street boundary in Area J and rezoning of Eagle Park to Public Facilities |

The text amendments within the document are presented with new wording underlined and deleted wording shown. The parking section was almost completely rewritten. To make this section easier to read, the revised parking section is presented with no strikeouts or underlines (see Attachment 6—Draft Downtown Precise Plan).

COMMUNITY INPUT

A key objective of the Downtown Precise Plan update has been to gain community input on potential changes to the plan. The Joint Committee gathered and evaluated public input through four focus group meetings with key stakeholder groups and from public testimony at each of the Joint Committee meetings. In addition, a community meeting attended by about 50 people was held on July 9, 2003 to obtain input on the proposed changes being recommended by the Joint Committee.

The City Council also held two study sessions, one in September 2003 and one on April 20, 2004. At each of the previous City Council study sessions and the Joint Committee meetings, ideas and comments from the community were heard and considered.

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

The Initial Study analyzes potential environmental impacts of the proposed changes to the Downtown Precise Plan. Under the California Environmental Quality Act (CEQA), these proposed amendments, referred to as the Consensus Plan, are defined as the "project." Analysis of this project is based on a comparison of build-out under the existing Downtown Precise Plan to build-out under the Consensus Plan and an alternative to the Consensus Plan as shown below:

| Table 1 Net Increase in Land Use from Existing Conditions (GSF or DUs) | | | |
|---|--|---|---|
| | Existing Precise Plan 15-Year Build-Out | Consensus Plan 15-Year Build-Out | Consensus Plan Alternate 15-Year Build-Out |
| Retail | 38,047 | 33,893 | 40,809 |
| Restaurant | 9,413 | 7,139 | 10,863 |
| Office | 207,522 | 97,657 | 124,562 |
| Total Square Feet | 254,982 | 138,689 | 176,234 |
| Residential | 0 | 208 | 195 |

In summary, the Consensus Plan reduces the overall growth in commercial uses when compared to the overall growth allowed under the existing Precise Plan, but adds 208 residential dwelling units (see Table 1). These 208 units were not anticipated when the 2002 Housing Element was adopted. They will help Mountain View achieve its "fair share" of the regional housing need.

The existing Precise Plan allowed a greater overall level of growth than the Consensus Plan, including an increase in office space of approximately 110,000 square feet, an additional 4,000 square feet of retail and 2,300 square feet of restaurant uses. The existing Precise Plan does not include any new downtown residential development in Areas H, I and J.¹

The Initial Study generally concluded that neither the proposed Downtown Precise Plan Amendments (Consensus Plan) nor Alternative to the Plan would have a significant environmental impact. In some cases, the Consensus Plan would reduce the impact under build-out compared with the existing Precise Plan.

The Initial Study also identifies areas where there could be potentially significant environmental impacts and suggests mitigation measures to reduce these impacts to less than significant levels. With implementation of these mitigation measures, the Initial Study found that the project could not have a significant effect on the environment and a Negative Declaration (statement of no significant environmental impacts) has been prepared.

The following is a discussion of some of the key environmental issues:

Traffic

The Initial Study found both the Consensus Plan and the Alternate Plan would produce less daily traffic than the existing Precise Plan.

Traffic generated by additional development at build-out under the Consensus Plan would result in 444 fewer vehicle trips daily than the trips estimated from additional development under the existing Downtown Precise Plan at build-out and 121 fewer peak hour p.m. vehicle trips. In addition, there will be no substantial change in level of service between the existing Downtown Precise Plan and the Consensus Plan at any of the study intersections.

¹ Initial Study, City of Mountain View Downtown Precise Plan Update, Phase II, February 2004.

The Initial Study notes that as more development occurs within the project area under the existing or proposed Downtown Precise Plan and within the expanded Area J, there is some potential for additional traffic on adjacent residential streets, especially Hope Street. This potential impact will be mitigated by the installation of signing to discourage the use of residential streets for access and instead encourage use of project area streets such as Castro Street. In addition, new text has been added to Area J development standards of the draft Downtown Precise Plan to regulate service and loading areas. The new text is intended to manage service and delivery vehicle traffic routes, entry points and noise impacts on the surrounding neighborhood in the Hope Street residential area.

Noise

One of the impacts identified by the Initial Study is the potential exposure of people living in and around downtown to substantial noise levels. The major noise sources in the project area are Caltrain and vehicular traffic on Central Expressway and El Camino Real. Other potential sources of noise are from activity associated with restaurants and bars. To mitigate this potential impact to new residential uses, the Initial Study recommends that construction documents must confirm that measures have been taken to achieve acceptable interior noise levels. Such measures may include, but are not limited to, providing double-paned windows and proper use of sealants.

CLEAN-UP ITEMS

There are several "clean-up" items that were recommended by the Downtown Committee and the Environmental Planning Commission. These include:

1. *Rescinding the Eagle Square Precise Plan and Rescinding the El Camino-Castro Gateway Precise Plan.*

Area I currently encompasses three separate and overlapping precise plans: the Eagle Square Precise Plan, the El Camino-Castro Gateway Precise Plan and the Downtown Precise Plan. One of the objectives of the Downtown Precise Plan update is to consolidate all three plans into the Downtown Precise Plan. The Eagle Square and El Camino-Castro Gateway Precise Plan areas have been built out within the past 10 to 15 years and are no longer needed to guide development.

Development standards for the Eagle Square Precise Plan and the El Camino-Castro Gateway Precise Plan have been incorporated into Area I of the Downtown Precise Plan and both plans can now be rescinded (see Attachment 4 – Resolution/Map Rescinding El Camino-Castro Gateway Precise Plan and Eagle Square Precise Plan).

2. *Rezoning Eagle Park from Downtown Precise Plan to PF – Public Facilities (see Figure 1 – Land Use and Height Recommendations).*

The westerly 7.5-acre portion of the Eagle Square Precise Plan adjacent to Shoreline Boulevard is what is now Eagle Park. Since this land is a public park, the Joint Committee determined it is more appropriate for it to be rezoned to PF – Public Facilities like other City parks. The park is designated as "Park" on the General Plan Map.

3. *Rezoning the properties in Area J along Hope Street from R3-2, Multi-Family Residential, to Downtown Precise Plan Area J (see Figure 2 – Land Use and Height Recommendations).*

The Joint Committee recommended expanding the Area J boundary to Hope Street to improve the possibility of assembling parcels to create larger and more feasible development sites. The intent of the recommendation is to allow only residential on Hope Street with commercial/mixed-use development on Castro Street. The areas must be rezoned from R3-2, Multi-Family Residential, to incorporate these properties into the Downtown Precise Plan.

4. *Rezoning the properties at the southeast corner of Castro Street and El Camino Real from P (Planned Community) to CRA (Commercial/Residential Arterial).*

The two parcels at the southeast corner of Castro Street and El Camino Real are a part of the El Camino-Castro Gateway Precise Plan, which is being rescinded. These parcels must be placed in a standard zone district. The existing development is in conformance with the CRA (Commercial/Residential Arterial) zoning standards which apply to most of the length of El Camino Real in Mountain View and are designated Linear Commercial Residential on the General Plan land use map.

5. *Approve an amendment to the Zoning Ordinance eliminating the centerline setback provisions in Appendix A of the Downtown Precise Plan.*

Centerline setbacks were originally included in the Zoning Ordinance to ensure a consistent setback along street frontages. However, these have become redundant with the front yard setback requirements in each zoning category, including the Downtown Precise Plan, and should be eliminated.

ALTERNATIVES

1. Refer the Precise Plan amendments back to the Downtown Committee and Environmental Planning Commission to address specific Council issues and make new recommendations.
2. Modify the height in the 300 block of Castro Street:
 - a. Establish a maximum height of 55' in the 300 block of Castro Street; top floor set back 10' to 12' from the facade.
 - b. Establish a maximum height of 55' in the 300 block of Castro Street with a 40' high facade on Castro Street; third and fourth floors set back 10' to 12' from the facade.
3. In Area J, increase the maximum density from 30 to 50 dwelling units per acre for residential development fronting the east side of Castro Street between Mercy Street and Fairmont Avenue.
4. Direct staff to initiate establishment of a new parking assessment district under which high parking uses (restaurants) would pay an annual assessment equal to 5 percent or 10 percent of the in-lieu fee for the creation of new parking.

PUBLIC NOTICING

Public notices for the May 25, 2004 City Council meeting were mailed to property owners in the Precise Plan area and in the Old Mountain View Neighborhood; members of the Central Business Association, Chamber of Commerce Board of Directors; and people on the downtown mailing list. Notice was also given in a local newspaper,

posted and advertised on the City home page and on the local cable channel. This staff report was mailed to people on the downtown mailing list.

Prepared by:

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AS/LM/9/CAM
814-05-25-04M-E^

- Attachments:
1. Memo on Review of April 20, 2004 Study Session
 2. Minutes of the April 20, 2004 Study Session
 3. Negative Declaration – Environmental Assessment/Initial Study
 4. Resolution Amending the Downtown Precise Plan and Rescinding the Eagle Square Precise Plan and the El Camino-Castro Gateway Precise Plan
 5.
 - a. Ordinance Rezoning Area J from R3-2 to Downtown Precise Plan
 - b. Ordinance Rezoning Eagle Park from Downtown Plan to PF – Public Facilities
 - c. Ordinance Rezoning Two Parcels at Southeast Corner of Castro Street from El Camino-Castro Gateway Plan to CRA Commercial/Residential Arterial
 - d. Ordinance Amending Zoning Ordinance Relating to general and Special Provisions, Exceptions and Interpretations
 6. Draft Downtown Precise Plan Amendments

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2004

A RESOLUTION AMENDING THE DOWNTOWN PRECISE PLAN AND
RESCINDING THE EAGLE SQUARE PRECISE PLAN AND THE
EL CAMINO-CASTRO GATEWAY PRECISE PLAN

WHEREAS, on March 2, 2004, the Downtown Committee held a duly noticed public hearing and thereafter forwarded its recommendation to the City Council that the Downtown Precise Plan be amended; and

WHEREAS, on March 17, 2004, the Environmental Planning Commission held a duly noticed public hearing and thereafter forwarded its recommendation to the City Council that the Downtown Precise Plan be amended; and

WHEREAS, on May 25, 2004, having given notice as required by City Code Section A36.70, the City Council held a public hearing to consider amendment of said Precise Plan;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View:

1. That the City Council has hereby considered the Mitigated Negative Declaration for the proposed amendments to the Downtown Precise Plan and finds that the potentially significant environmental effects of the project have been mitigated to a level of insignificance and hereby approves and adopts the Mitigated Negative Declaration and determines that the mitigation measures set forth in the Mitigated Negative Declaration shall be implemented pursuant to the Mitigation Monitoring Program by the City Council; and

2. That the Eagle Square Precise Plan adopted on February 26, 1985 by Resolution No. 14140 and the El Camino-Castro Gateway Precise Plan adopted on January 10, 1984 by Resolution No. 13921 are hereby rescinded in their entirety, and those areas as are more particularly described in Exhibit A, attached hereto, are hereby incorporated into the Downtown Precise Plan, as amended; and

3. That the Downtown Precise Plan, as amended, as more particularly described in Exhibit B attached hereto, and which shall be on file in the Office of the City Clerk, is hereby adopted.

LM/9/RESO/859-04-27-04R^

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING MAP OF THE
CITY OF MOUNTAIN VIEW TO REZONE THE DOWNTOWN PRECISE PLAN
AREA J EXPANSION SITE FROM THE R3-2 DISTRICT TO THE
DOWNTOWN PRECISE PLAN (P-19) DISTRICT

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. The zoning map of Mountain View is hereby amended as follows:

All those certain properties on the west side of Hope Street, south of Church Street and north of Fairmont Avenue, identified as Assessor's Parcel Nos. 158-09-001, 158-09-002, 158-09-003, 158-09-004, 158-09-005 and 158-09-006, are hereby rezoned from the R3-2 District to Subarea J of the Downtown Precise Plan (P-19) District, as is more particularly shown on the plat attached hereto as Exhibit A.

Section 2. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 4. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

AS/8/ORD
814-05-25-04O^

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING MAP OF THE
CITY OF MOUNTAIN VIEW TO REZONE THE EAGLE PARK SITE FROM
THE DOWNTOWN PRECISE PLAN (P-19) DISTRICT TO
THE PF – PUBLIC FACILITIES DISTRICT

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. The zoning map of Mountain View is hereby amended as follows:

The property identified as Eagle Park with Assessor's Parcel No. 158-08-002 is hereby rezoned from the Downtown Precise Plan (P-19) District to the PF – Public Facilities District as is more particularly shown on the plat attached hereto as Exhibit A.

Section 2. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 4. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

AS/8/ORD
814-05-25-04O-1^

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING MAP OF THE
CITY OF MOUNTAIN VIEW TO REZONE TWO PARCELS ON THE
SOUTH SIDE OF EL CAMINO REAL, EAST OF CASTRO STREET AND
WEST OF LANE AVENUE FROM
EL CAMINO-CASTRO GATEWAY PRECISE PLAN (P-22) TO
COMMERCIAL/RESIDENTIAL-ARTERIAL (CRA)

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. The zoning map of Mountain View is hereby amended as follows:

All those certain properties on the south side of El Camino Real, east of Castro Street and west of Lane Avenue, identified as Assessor's Parcel Nos. 193-02-049 and 193-02-050, are hereby rezoned from the El Camino-Castro Gateway Precise Plan (P-22) District to Commercial/Residential-Arterial (CRA), as is more particularly shown on the map attached hereto as Exhibit A.

Section 2. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 4. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

AS/9/ORD/814-05-25-04O-3^

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 36, ARTICLE IV, OF THE
MOUNTAIN VIEW CITY CODE RELATING TO
GENERAL AND SPECIAL PROVISIONS, EXCEPTIONS AND INTERPRETATIONS

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. Council Findings. The City Council of the City of Mountain View finds and declares that Chapter 36, entitled "Zoning," of the Mountain View City Code should be updated and revised to reflect new regulations for development within the Downtown Precise Plan area.

Section 2. Mountain View City Code Chapter 36, Article IV, "General and Special Provisions, Exceptions and Interpretations," Sections 36.27.1, 36.27.2 and 36.27.3, all relating to centerline setbacks, is hereby amended by rescinding said sections in their entirety, as follows:

~~"SEC. 36.27.1. Thirty-foot setback lines.~~

~~—The setback line for all buildings, structures or improvements shall be thirty (30) feet from the centerline of the following designated streets:~~

~~—BRYANT STREET. Between the centerline of Evelyn Avenue and the centerline of Mercy Street.~~

~~—CALIFORNIA STREET. North side, from a point one hundred eighty-three (183) feet east of the centerline of Castro Street to the centerline of Hope Street.~~

~~—DANA STREET. Between the centerline of Franklin Street and the centerline of View Street.~~

~~—FAIRMONT AVENUE. Between the centerline of Castro Street and the centerline of Hope Street.~~

~~—FRANKLIN STREET. East side, between the centerline of Evelyn Avenue and the centerline of Villa Street.~~

~~—MERCY STREET. Between the centerline of Bryant Street and the centerline of Castro Street.~~

~~—— VILLA STREET. Between the centerline of Franklin Street and the centerline of View Street.~~

~~—— YOSEMITE AVENUE. Between the centerline of Castro Street and the centerline of Hope Street.~~

~~SEC. 36.27.2. Thirty-five foot setback lines.~~

~~—— The setback line for all buildings, structures or improvements shall be thirty five (35) feet from the centerline of the following designated streets:~~

~~—— CHURCH STREET. From a point three hundred (300) feet west of the centerline of Castro Street to the centerline of Castro Street.~~

~~—— HIGH SCHOOL WAY. From a point three hundred (300) feet west of the centerline of Castro Street to the centerline of Castro Street.~~

~~—— HOPE STREET. East side, between the centerline of Evelyn Avenue and the centerline of California Street; west side, between the centerline of California Street and the centerline of Mercy Street.~~

~~—— MERCY STREET. Between the centerline of Castro Street and the centerline of Hope Street.~~

~~SEC. 36.27.3. Forty foot setback lines.~~

~~—— The setback line for all buildings, structures, or improvements shall be forty (40) feet from the centerline of the following designated streets:~~

~~—— CALIFORNIA STREET. South side, between the centerline of Hope Street and the centerline of Castro Street; north side, between the centerline of Castro Street to a point one hundred eighty three (183) feet east of the centerline of Castro Street.~~

~~—— CASTRO STREET. Between the centerline of California Street and the southerly property line of the Southern Pacific railroad right of way.~~

~~—— FRANKLIN STREET. East side, between the centerline of Villa Street and the centerline of Church Street.~~

~~—— VIEW STREET. West side, between a point one hundred five (105) feet south of Dana Street and the centerline of Evelyn Avenue; east side, between the centerline of Villa Street and the centerline of Evelyn Avenue.~~

—~~VILLA STREET. Between Calderon Avenue and Bush Street.~~"

Section 3. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 5. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

AS/5/ORD
814-05-25-04O-2^